

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3774 OF 2007

Lakhu V. Chachra @ Bhatia Applicant.
V/s
The Directorate of Revenue Intelligence & Ors. Respondents.

Ms.R.B.Amroliya, Adv. For the applicant.

Mr.J.C.Satpute, Adv. For respondent Nos. 1 and 2.

Mr.Y.M.Nakhwa, APP For the respondent No.3.

CORAM: A.P.DESHPANDE, J.

4/12/07

PC:

Heard counsel for the respective parties.

Learned counsel for the respondent No.1 has no objection if the application is disposed of in terms of the order passed by learned Single Judge of this Court dated 7.10.06. The applicant has been permitted to have the passport renewed for a period of one year on previous occasion over a span of about 4/5 years. The applicant has abided by the condition imposed by the Court. Further a prayer is made for renewal of passport for a period of two years. I find that the same request was made before this Court in Criminal Application No.74/03 which came to be disposed of by an order dated 13.1.03 of which a reference is made in the order dated 7.10.06 while disposing of Criminal Application No.2458/06. For the reasons recorded in the said order the passport cannot be

ordered to be renewed for more than one year at a time. Hence application is disposed of by passing the following order:

(i) The applicant is permitted to travel to Dubai. The respondent No.2 is directed to issue passport to the applicant for a period of one year and not withheld it only on the ground stated in section 6(2) (f) of the Passports Act provided if the applicant fulfills all other requirements necessary for grant of passport. Needless to say that the provisions of section 6(2)(f) of the Passports Act shall however apply if any other case is pending against him.

(ii) The applicant is directed to furnish additional solvent security in the sum of Rs.25000/- or a cash security in lieu of solvent surety.

(iii) The learned counsel for the applicant makes a statement that the applicant has deposited a cash surety of Rs.25000/- which he has not withdrawn and and requests to continue the same cash security. Hence, the applicant is allowed to continue the said security.

(iv) The applicant shall keep informed the respondent No.1 in writing his date/dates of departure and arrival while leaving India and his address and telephone numbers at Dubai.

Parties to act on authenticated copy of this order.

4.12.07